

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,
Plaintiff,

v.

CIVIL ACTION NO. 3:17-01362

AMERISOURCEBERGEN
DRUG CORPORATION, et al.,
Defendants.

CABELL COUNTY COMMISSION,
Plaintiff,

v.

CIVIL ACTION NO. 3:17-01665

AMERISOURCEBERGEN
DRUG CORPORATION, et al.,
Defendants.

NOTICE OF WITHDRAWAL OF APPEAL

AmerisourceBergen Drug Corporation (“ABDC”) herby gives notice that ABDC’s Appeal of Discovery Ruling 11 (“DR 11”) [ECF No. 674] is now moot. The parties have reached an agreement and have filed a stipulation [ECF No. 828], which resolves the dispute central to Special Master Wilkes’ ruling [ECF No. 639] and ABDC’s appeal. Accordingly, ABDC withdraws its appeal.

Dated: August 6, 2020

Respectfully Submitted,

AmerisourceBergen Drug Corporation
By Counsel:

/s/ Gretchen M. Callas

Gretchen M. Callas (WVSB #7136)

JACKSON KELLY PLLC

Post Office Box 553

Charleston, West Virginia 25322

Tel: (304) 340-1000

Fax: (304) 340-1050

gcallas@jacksonkelly.com

Robert A. Nicholas

Shannon E. McClure

REED SMITH LLP

Three Logan Square

1717 Arch Street, Suite 3100

Philadelphia, PA 19103

Tel: (215) 851-8100

Fax: (215) 851-1420

nicholas@reedsmith.com

smcclure@reedsmith.com

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2020, the foregoing *Notice of Withdrawal of Appeal* was sent to Counsel for the Plaintiffs and Defendants using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Gretchen M. Callas
Gretchen M. Callas (WVSB # 7136)